

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: MAUDE ET AL. )  
 )  
 SERIAL NUMBER: 09/871,390 ) Group Art Unit:  
 ) 2854  
 FILED: MAY 31, 2001 )  
 ) Before the Examiner:  
 FOR: PROCESS FOR APPLYING A ) Leslie Evanisko  
 ) DECORATIVE PATTERN TO )  
 ) EARPLUGS )

#7 / Election

8-6-02  
L. SpruellPROVISIONAL ELECTION WITH TRAVERSE FAX COPY RECEIVED

Assistant Commissioner of Patents  
 Washington, D.C. 20231

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Sir:

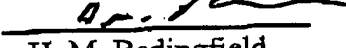
Responsive to the Office Action dated July 3, 2002, Applicant provisionally elects the Group (II) process claims 12-26 for prosecution on the merits. However, the Applicant would like for the Examiner to reconsider the restriction requirement. The Applicant notes that the apparatus claim requires that an earplug carry a device printed pattern, whether or not that device may be an impact printing device, ink printing device, or what-have-you. The process claim requires that an earplug be oriented relative to a printing device and that a pattern be formed on the earplug using that printing device. The language corresponds. Accordingly, the Applicant asks that the Examiner reconsider and withdraw the restriction requirement.

I certify that this correspondence is being transmitted via Facsimile to the Commissioner of Patents and Trademarks, Washington, D.C. at Facsimile No. (703) 308-7722, Art Unit 2854 on August 1, 2002.	
August 1, 2002 (Date of Transmission)	
H.M. Beddingfield Name of person transmitting paper	
H.M. Beddingfield Signature	8/1/02 Date

If there are any charges with respect to this submission or otherwise, please charge them to Deposit Account No. 06-1130, maintained by the Applicant's attorneys.

Respectfully Submitted,  
**MAUDE ET AL.**

**CANTOR COLBURN, LLP**  
Applicant's Attorneys

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